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EXAMINER
HSIA, SHERRIE Y

ART UNIT	PAPER NUMBER
2614	2

DATE MAILED: 05/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/583,432	Applicant(s) JOSHI ET AL.	
	Examiner Sherrie Hsia	Art Unit 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-30* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5,7-15,17-23 and 25-30* is/are rejected.

7)☒ Claim(s) *6,16 and 24* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on 7/31/09 is/are: a)☑ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

Claim Objections

1. Claims 6-8, 12-17 and 19 are objected to because of the following informalities:

In claims 6 and 16, it seems that the dependency is incorrect because claims 1 and 11 never recite "said still lower power consumption state" as claimed at line 3. Therefore, in claim 6, line 1, "claim 1" should be –claim 2--. In claim 16,line 1, "claim 11" should be --claim 12--.

In claims 12-16 and 19, line 2, "a" should be --the--.

In claims 7 and 17, line 3, "a" should be --the--.

In claim 8, line 2, "a", first occurrence, should be --the--.

In claim 19, line 4, "the" should be –an--.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
>
> OR
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 7, 9-11, 17, 19- 21 and 26-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Clark (5513359).

As to claims 1 and 11, Clark discloses all the claimed subject matter, the claimed transitioning a processor-based system from a lower power consumption state to a higher power consumption state in response to operation of a power button **is met by pressing the power button 21, changing the system 10 from the suspend state 154 to the normal operating state 150 (column 15 lines 53-55)**, and the claimed transitioning the processor-based system from the higher power consumption state to the lower power consumption state in response to re-operation of the power button **is met by pressing the power button 21 while the enter suspend flag written to the programmable logic array U2 is 01_2, changing the system 10 from the normal operating state 150 to the suspend state 154 (column 15 lines 50-53)** (see Fig. 4).

As to claims 7 and 17, the claimed preventing the system from going to a power off state in response to operation of a power button is inherently included in Clark, since Clark discloses that a single power button 21 press can switch the system 10 between the normal operating state and suspend state (column 15 lines 50-55).

As to claim 9, the claimed operating system **is met by the power button 21 and the operating system (column 24 lines 46 and 54)** , and the claimed power management module in connection with the operating system for the processor-based system the handle power management events **is met by the power management circuitry 106 (Fig. 3c)**.

As to claims 10 and 20, the claimed power management module respond to power management events by passing control to a boot loader **is met by the PBOOT routine which communicates with the advanced power management advanced programming interface built into the operating system (column 24 lines 42-54)**.

As to claim 19, the claimed storing instructions that cause the processor-based system to transition between the lower and higher power consumption states using a software module at the operating system kernel level **is met by the system software (column 24 lines 6, column 25 lines 48-65).**

As to claim 21, Clark discloses all the claimed subject matter, the claimed processor **is met by the system processor 40 (Fig. 3A, column 9 line 21)**, the claimed storage coupled to the processor **is met by the volatile random access memory (RAM) 53 (Fig. 3A, column 9 line 24)**, the claimed power button **is met by the power button 21**, and the claimed power button operable to cause the system to transition from a lower power consumption state to a higher power consumption state or to transition from the higher power consumption state to the lower power consumption state **is met by pressing the power button 21, changing the system 10 from the suspend state 154 to the normal operating state 150 (column 15 lines 53-55) or by pressing the power button 21 while the enter suspend flag written to the programmable logic array U2 is 01_2, changing the system 10 from the normal operating state 150 to the suspend state 154 (column 15 lines 50-53)** (see Fig. 4).

As to claim 26, the claimed operation of the power button does not remove power from the system is inherently included in Clark, since Clark discloses that a single power button 21 press can switch the system 10 between the normal operating state and suspend state (column 15 lines 50-55).

As to claim 27, the claimed timer that transitions the system to a still lower power consumption state in response to system inactivity for a period of time **is met by the standby timer (column 14 line 36, Fig. 4).**

As to claim 28, the claimed system automatically transitions from the still lower power consumption state in response to the detection of activity proximate to the processor **is met by the transition from the standby state 152 to the normal operating state 150 while any system activity is detected (Fig. 4, column 15 lines 42-45)**.

3. Claims 1, 7-11, 17- 21, 26 and 30 are rejected under 35 U.S.C. 102(e) as being anticipated by Brusky (6285406).

As to claims 1 and 11, Brusky discloses all the claimed subject matter, the claimed transitioning a processor-based system from a lower power consumption state to a higher power consumption state in response to operation of a power button **is met by pressing the power button 132, changing the PC/TV system from the suspend state to the on state (column 2 lines 32-34, column 4 lines 39-41, column 5, lines 27-30,column 7 lines 18-20)**, and the claimed transitioning the processor-based system from the higher power consumption state to the lower power consumption state in response to re-operation of the power button **is met by pressing the power button 132, changing the PC/TV system from the on state to the suspend state (column 2 lines 32-34, column 4 lines 39-41, column 5, lines 22-25, column 7 lines 18-20)**.

As to claims 7 and 17, the claimed preventing the system from going to a power off state in response to operation of a power button is inherently included in Brusky, since Brusky discloses that a single power button press can switch the PC/TV system between the on state and suspend state (column 2 lines 32-34, column 5 lines 22-32, column 7 lines 18-22).

As to claims 8 and 18, the claimed power button and remote control unit **is met by the power button 132 and the remote control unit 130 (column 5 lines 19, 22-23, 27-29)**.

As to claim 9, the claimed operating system **is met by the operating system, e.g. Windows (column 6 lines 8-9)**, and the claimed power management module in connection with the operating system for the based-based system the handle power management events **is met by the power management system 150 (Fig. 2)**.

As to claims 10 and 20, the claimed power management module respond to power management events by passing control to a boot loader **is met by the boot operation (column 6 lines 8-12, 19-31)**.

As to claim 19, the claimed storing instructions that cause the based-based system to transition between the lower and higher power consumption states using a software module at the operating system kernel level **is met by the system software (column 3 lines 62-63, column 7 lines 1-12).**

As to claim 21, Brusky discloses all the claimed subject matter, the claimed processor **is met by the processor unit 120 (Fig. 1)**, the claimed storage coupled to the processor **is met by the storage unit 125 (Fig. 1)**, the claimed power button **is met by the power button 132**, and the claimed power button operable to cause the system to transition from a lower power consumption state to a higher power consumption state or to transition form the higher power consumption state to the lower power consumption state **is met by pressing the power button 132, changing the PC/TV system from the suspend state to the on (column 2 lines 32-34, column 4 lines 39-41, column 5, lines 27-30,column 7 lines 18-20) or by pressing the power**

button 132, changing the PC/TV system from the on state to the suspend state (column 2 lines 32-34, column 4 lines 39-41, column 5, lines 22-25, column 7 lines 18-20).

As to claim 26, the claimed operation of the power button does not remove power from the system is inherently included in Brusky, since Brusky discloses that a single power button press can switch the PC/TV system between the on state and suspend state (column 2 lines 32-34, column 5 lines 22-32, column 7 lines 18-22).

As to claim 30, the claimed power button and remote control unit **is met by the power button 132 and the remote control unit 130 (column 5 lines 19, 22-23, 27-29).**

4. Claims 1-5, 7, 9-15, 17, 19-21 and 26-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Gillespie (6393573).

As to claims 1 and 11, Gillespie discloses all the claimed subject matter, the claimed transitioning a processor-based system from a lower power consumption state to a higher power consumption state in response to operation of a power button **is met by turning on the power button, changing the system from the standby+ state 43 to the full power state 44 (Fig. 2, column 4 lines 57-59) or from the power save state 42 to the full power state 44(Fig. 2)**, and the claimed transitioning the processor-based system from the higher power consumption state to the lower power consumption state in response to re-operation of the power button **is met by turning off the power button, changing the system from the full power state 44 to the standby+ state 43 (Fig. 2, column 5 lines 28-29) or from the full power state 44 to the power save state 42 through the standby state 45 (Fig. 2).**

As to claims 2 and 12, the claimed transitioning the processor-based system fro the lower power consumption state to a still lower power consumption state in response to a lack of activity on the processor-based system **is met by a transition is made from standby+ state 43 to standby state 45 when the ignition is off (i.e. no activity) or from the power save state 42 to the sleep state 41 when the lights off (Fig. 2).**

As to claims 3 and 13, the claimed transitioning the processor-based system fro the still lower power consumption state back to the lower power consumption state if activity is detected around the processor-based system **is met by a transition is made from standby state 45 to standby state+ 43 when the ignition is on and power button is off (i.e. there is activity going on) (Fig. 2, column 5 lines 23-24) or from the sleep state 41 to the power save state 42 when the lights on (Fig. 2).**

As to claims 4 and 14, it is understood that by turning on the ignition, the system is activated. So the movement is occurred in the system. Therefore, the claimed detecting motion around the processor-based system is inherently included in Gillespie.

As to claims 5 and 15, the claimed transitioning the system from the still lower power consumption state back to the lower power consumption state if light is detected around the processor-based system **is met by when the lights on, the sleep state 41 is changed to the power save state 42 (Fig. 2).**

As to claims 7 and 17, the claimed preventing the system from going to a power off state in response to operation of a power button is inherently included in Gillespie, since Gillespie discloses that the single power button press can switch the system between the full power state and standby+ state (Fig. 2).

As to claim 9, the claimed operating system **is met by the operating system of CISC microprocessor 13 (Fig. 1, column 1 lines 39-41, column 2 line 57)**, and the claimed power management module in connection with the operating system for the based-based system the handle power management events **is met by the power management chip set 14 (Fig. 1, column 2 lines 18, lines 50-52)**.

As to claims 10 and 20, the claimed power management module respond to power management events by passing control to a boot loader **is met by the boot operation (column 5 lines 17-23)**.

As to claim 19, the claimed storing instructions that cause the based-based system to transition between the lower and higher power consumption states using a software module at the operating system kernel level **is met by the system software (column 2 line 57).**

As to claim 21, Brusky discloses all the claimed subject matter, the claimed processor **is met by the processor 25 (Fig. 1)**, the claimed storage coupled to the processor **is met by the ROM 26 (Fig. 1)**, the claimed power button **is met by the power button 30**, and the claimed power button operable to cause the system to transition from a lower power consumption state to a higher power consumption state or to transition form the higher power consumption state to the lower power consumption state **is met by turning on the power button, changing the system from the standby+ state 43 to the full power state 44 (Fig. 2, column 4 lines 57-59) or by turning off the power button, changing the system from the full power state 44 to the standby+ state 43 (Fig. 2, column 5 lines 28-29)**.

As to claim 26, the claimed operation of the power button does not remove power from the system is inherently included in Gillespie, since Gillespie discloses that the single power button press can switch the system between the full power state and standby+ state (Fig. 2).

As to claim 27, the claimed timer that transitions the system to a still lower power consumption state in response to system inactivity for a period of time **is met by the standby timer (Fig. 2, column 5 line 9-12)**.

As to claim 28, the claimed system automatically transitions from the still lower power consumption state in response to the detection of activity proximate to the processor **is met by the transition from the power save state 42 to the full power state 44 or the standby+ state 43 while any system activity is detected (the ignition is on) (Fig. 2)**.

5. Claims 1, 7-9, 11, 17-19, 21, 26, 29 and 30 are rejected under 35 U.S.C. 102(e) as being anticipated by Schindler (6205318).

As to claims 1 and 11, Schindler discloses all the claimed subject matter, the claimed transitioning a processor-based system from a lower power consumption state to a higher power consumption state in response to operation of a power button **is met by turning on the power button, changing the system from the standby mode to the on power mode (column 2 lines 9, 15-16, column 8 lines 58-61)**, and the claimed transitioning the processor-based system from the higher power consumption state to the lower power consumption state in response to re-operation of the power button **is met by turning off the power button, changing the system from the on power mode to the standby mode (column 2 lines 9, 15-16, column 8 lines 49-53)**.

As to claims 7 and 17, the claimed preventing the system from going to a power off state in response to operation of a power button is inherently included in Schindler, since Schindler discloses that the single power button press can switch the system between the on power mode and standby mode **(column 2 lines 9, 15-16, column 8 lines 49-53, 58-61)**.

As to claims 8 and 18, the claimed power button and remote control unit **is met by the power button 914, 1016 and the hand held remote 124 or remote keyboard 126.**

As to claim 9, the claimed operating system **is met by the operating system (Windows) (column 8 line 64)**, and the claimed power management module in connection with the operating system for the based-based system the handle power management events **is met by the processor 310 (column 1 lines 54-59)**.

As to claim 19, the claimed software module **is met by the software (column 2 lines 30-31)**.

As to claim 21, Schindler discloses all the claimed subject matter, the claimed processor **is met by the processor 310 (Fig. 2)**, the claimed storage coupled to the processor **is met by the RAM 314 (Fig. 2)**, the claimed power button **is met by the power button 914 or 1016**, and the claimed power button operable to cause the system to transition from a lower power consumption state to a higher power consumption state or to transition form the higher power consumption state to the lower power consumption state **is met by turning on the power button, changing the system from the standby mode to the on power mode (column 2 lines 9, 15-16, column 8 lines 58-61) or by turning off the power button, changing the system from the on power mode to the standby mode (column 2 lines 9, 15-16, column 8 lines 49-53)**.

As to claim 26, the claimed subject matter is inherently included in Schindler, since Schindler discloses that the single power button press can switch the system between the on power mode and standby mode (**column 2 lines 9, 15-16, column 8 lines 49-53, 58-61**).

As to claim 29, Since Schindler teaches a home entertainment system which includes the antenna 114, to receive the satellite signals, connected to a personal computer 118, and the personal computer is connected to NTSC TV 150, VCR or other devices. So, in order to receive services of the broadcastings, the person computer installed herein is acted as a receiver, i.e. the set top box to decode compressed signal of the received broadcasting. Therefore, the claimed set-top box is inherently included in Schindler.

As to claim 30, the claimed remote control unit and power button **is met by the power button 914 or 1016 and the remote keyboard 126 or the hand held remote 124**.

6. Claims 21-23 and 25-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Clark (5765001).

As to claim 21, Clark discloses all the claimed subject matter, the claimed processor **is met by the system processor 40 (Fig. 3A)**, the claimed storage coupled to the processor **is met by the volatile random access memory (RAM) 53 (Fig. 3A)**, the claimed power button **is met by the power button 21**, and the claimed power button operable to cause the system to transition from a lower power consumption state to a higher power consumption state or to transition form the higher power consumption state to the lower power consumption state **is met by pressing the power button 21, changing the system 10 from the suspend state 154 to the**

normal operating state 150 (Fig. 4) or by pressing the power button 21, changing the system 10 from the normal operating state 150 to the suspend state 154 (Fig. 4).

As to claim 22, the claimed housing and sensor is met by the chassis 19 and sensors (column 17 lines 57-60).

As too claim 23, the claimed light sensor is met by the light sensors (column 17 line 59).

As to claim 25, the claimed motion sensor is met by the motion sensors (column 17 line 58).

As to claim 26, the claimed operation of the power button does not remove power from the system is inherently included in Clark, since Clark discloses that a single power button 21 press can switch the system 10 between the normal operating state and suspend state (Fig. 4).

As to claim 27, the claimed timer that transitions the system to a still lower power consumption state in response to system inactivity for a period of time **is met by the standby timer (column 10 line 13, Fig. 4).**

As to claim 28, the claimed system automatically transitions from the still lower power consumption state in response to the detection of activity proximate to the processor **is met by the transition from the standby state 152 to the normal operating state 150 while any system activity is detected (Fig. 4, column 10 lines 47-51).**

7. Claims 6, 16 and 24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

As to claims 6 and 16, the prior art fails to show or fairly suggest the processor-based system which transition from the still lower consumption state to the lower power consumption state in response to the operation of a television receiver.

As to claim 24, the prior art fails to show or fairly suggest the system, which includes a television receiver coupled to the processor, and the light sensor is adapted to detect light from the operation of a television receiver.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

JP2000-324688 discloses electronic equipment having a remote control transmitter.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sherrie Hsia whose telephone number is (703) 305-4738.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (703) 305-4795.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Sherrie Hsia
Primary Examiner
Art Unit 2614

SH
May 18, 2003